

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:17-cr-15

v.

HON. Robert J. Jonker

JOSE ELMER VASQUEZ,

Defendant.

REPORT AND RECOMMENDATION

Pursuant to W.D. MICH. L.CR.R. 11.1, I conducted a plea hearing in the captioned case on June 30, 2017, after receiving the written consent of defendant and all counsel. At the hearing, defendant Jose Elmer Vasquez entered a plea of guilty to Count 1, charging defendant with Reentry of Removed Alien in violation of 8:1326(a), 8:1326(b)(2), 8:1101(a)(43)(F). On the basis of the record made at the hearing, with a Spanish speaking interpreter, I find that defendant is fully capable and competent to enter an informed plea; that the plea is made knowingly and with full understanding of each of the rights waived by defendant; that it is made voluntarily and free from any force, threats, or promises; that the defendant understands the nature of the charge and penalties provided by law; and that the plea has a sufficient basis in fact.

I therefore recommend that defendant's plea of guilty to Count 1 be accepted, that the court adjudicate defendant guilty. It is further recommended that defendant

remain detained pending sentencing. Acceptance of the plea, adjudication of guilt, determination of defendant's status pending sentencing, and imposition of sentence are specifically reserved for the district judge.

This Court failed to file this Report and Recommendation after the plea was taken on June 30, 2017. A paper copy of this document was signed and given to defendant and defense counsel at the time of the plea and the defendant was informed that he had until July 15, 2017 to file any objections to the Report and Recommendation. No objections were filed. Because the Court failed to file the Report and Recommendation at the time of the hearing, the parties will be given until August 5, 2017 to file objections to this report and recommendation.

Date: August 2, 2017

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
United States Magistrate Judge